

JOHN B. LASALA.

[To accompany bill H. R. No. 259.]

APRIL 4, 1840.

Mr. CONNOR, from the Committee of Ways and Means, submitted the following

### REPORT:

*The Committee of Ways and Means, to whom was referred the petition of John B. Lasala, report:*

That the petitioner sets forth that, on the 9th day of May last, (1837,) he imported from Havana, into the port of New York, one case (A P) containing 35,000 cigars; that, under an order of the collector, of the 19th of May, those cigars were sent to the public store; on the 26th September the petitioner made entry of the same at the custom-house, and paid the duties thereon, (fifty-six dollars and twelve cents,) obtaining a permit for his goods; and on presenting the same to the public storekeeper, it turned out that his goods had been sent to the public store No. 109 Washington street—which store had been destroyed by fire on the night of the 2d June, and in it the cigars of the petitioner. The deputy collector, David S. Lyon, certifies to the correctness of the foregoing statement.

The goods were in possession of the storekeeper; and on the reception of them by the owner only could he, in justice, be required to pay the duty. Their destruction was an act not within the control of either. And not doubting the safety of his goods, and their being delivered on payment of the duties, (and not until after payment of the duties was made did he learn their destruction by fire,) the committee think, in justice, that the duties paid should be refunded, and have instructed me to report a bill.

Blair & Rives, printers.